

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that House Bill 1745 be amended to read as follows:

- 1 Page 3, line 39, before "and a" delete "distributor" and insert
- 2 **"distributor, including any affiliated group (as defined in Section**
- 3 **1504 of the Internal Revenue Code) of which the wholesale**
- 4 **distributor is a member,".**
- 5 Page 3, line 41, delete "or".
- 6 Page 4, line 1, delete "distributors." and insert **"distributors; or"**.
- 7 Page 4, between lines 1 and 2, begin a new line block indented and
- 8 insert:
- 9 **"(3) has a verifiable account with the manufacturer and a**
- 10 **minimal transaction or volume requirement limit of:**
- 11 **(A) five thousand (5,000) units per company in the previous**
- 12 **twelve (12) months; or**
- 13 **(B) twelve (12) purchases at the manufacturer's minimum**
- 14 **purchasing requirement per invoice in the previous twelve**
- 15 **(12) months.".**
- 16 Page 4, line 8, delete "or".
- 17 Page 4, between lines 8 and 9, begin a new line block indented and
- 18 insert:
- 19 **"(4) a drug approved by the federal Food and Drug**
- 20 **Administration; or"**.
- 21 Page 4, line 9, delete "(4)" and insert **"(5)"**.
- 22 Page 7, line 35, delete "document" and insert **"statement or**
- 23 **record"**.
- 24 Page 7, line 37, after "manufacturer" insert **"or, except for drugs on**

- 1 **the specified list of susceptible products, from the last authorized**
- 2 **distributor of record".**
- 3 Page 8, line 5, delete "and".
- 4 Page 8, line 6, after "number;" insert "**and**".
- 5 Page 8, between lines 6 and 7, begin a new line double block
- 6 indented and insert:
- 7 "**(G) proprietary and established name;**".
- 8 Page 8, line 41, delete "designated by the board," and insert
- 9 "**established by the board, the board's agent,**".
- 10 Page 9, line 6, strike "distribution of" and insert "**to distribute**".
- 11 Page 9, line 9, after "sale" insert "**or transfer**".
- 12 Page 9, line 40, strike "or".
- 13 Page 10, line 1, delete "pharmacy." and insert "pharmacy;".
- 14 Page 10, between lines 1 and 2, begin a new line block indented and
- 15 insert:
- 16 "**(11) drug returns by a hospital, health care entity, or**
- 17 **charitable institution conducted under 21 CFR 203.23; or**
- 18 **(12) the sale of minimal quantities of drugs by retail**
- 19 **pharmacies to licensed practitioners for office use."**
- 20 Page 11, line 30, delete "2006," and insert "2005,".
- 21 Page 12, line 38, after "board," insert "**including insurance, an**
- 22 **irrevocable letter of credit, or funds deposited in a trust account or**
- 23 **financial institution,**".
- 24 Page 13, between lines 4 and 5, begin a new line blocked left and
- 25 insert:
- 26 "**However, a separate surety bond or an equivalent means of**
- 27 **security is not required for a separate location or a company of the**
- 28 **wholesale drug distributor."**
- 29 Page 13, line 6, after "year" insert "**after the wholesale drug**
- 30 **distributor's license is no longer valid or sixty (60) days"**.
- 31 Page 16, line 27, after "siblings." insert "**Information collected**
- 32 **under this subdivision is confidential."**
- 33 Page 19, line 16, delete "products." and insert "**products or that**
- 34 **leaves the normal distribution chain of custody from the**
- 35 **manufacturer to a wholesale drug distributor, to a pharmacy, and**
- 36 **to the patient or the patient's agent."**
- 37 Page 19, line 21, delete "Effective" and insert "**After**".
- 38 Page 19, line 21, after "2007," insert "**at the board's discretion, for**
- 39 **each legend drug received and distributed by the wholesale drug**
- 40 **distributor,**".
- 41 Page 19, line 23, delete "for each legend drug received" and insert
- 42 "**to authenticate, track, and trace legend drugs. The standards and**
- 43 **requirements of the board may indicate the information required**
- 44 **to be part of the electronic pedigree."**
- 45 Page 19, delete line 24.
- 46 Page 24, line 10, delete "including," and insert "**including**".

- 1 Page 24, line 11, delete "effective January 1, 2007,".
- 2 Page 24, line 11, after "in" insert "**accordance with standards and**
- 3 **requirements of the board under subdivision (3)(C)(iii).**".
- 4 Page 24, delete lines 12 through 14.
- 5 Page 36, between lines 31 and 32, begin a new paragraph and insert:
- 6 "**(b) The Indiana board of pharmacy established by**
- 7 **IC 25-26-13-3 may establish an electronic pedigree pilot program**
- 8 **to authenticate, track, and trace legend drugs and devices. The**
- 9 **pilot program must include participation of drug manufacturers,**
- 10 **wholesale drug distributors, and pharmacies that are licensed in**
- 11 **Indiana. The board may establish the requirements and guidelines**
- 12 **for the pilot program.**".
- 13 Page 36, line 32, delete "(b)" and insert "(c)".
(Reference is to HB 1745 as printed January 26, 2005.)

Representative Budak